

Docket No.: 13111-00035-US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Rainer Stuermer et al.

Conf. No.: 4511

Application No.: 10/573,130

Group Art Unit: 1625

Filed: May 17, 2006

Examiner: T. A. Solola

For: METHODS FOR THE PRODUCTION OF 3-
METHYLAMINO-1-(THIENE-2-YL)-
PROPANE-1-OL

**SECOND REQUEST FOR CORRECTED FILING RECEIPT
AND NOTICE OF ACCEPTANCE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby request that a corrected Filing Receipt and a corrected Notice of Acceptance be issued in the above-identified patent application. The official Filing Receipt received by Applicants, a marked-up copy of which is attached hereto, has three errors. They are as follows:

- 1). Second Applicant is missing and should be shown as "Maria Kessler, Mannheim, GERMANY";
- 2). The Third Applicant city is misspelled and should read, "Fussgonheim" in lieu of "Fubgonheim; and
- 3). The Foreign Applications should read, "GERMANY 10345772.0 01/10/2003 in lieu of "EUROPEAN PATENT OFFICE (EPO) 10345772.0 10/10/2003," both the country and date require correction.

Additionally, the Priority Date listed on the Notice of Acceptance is also incorrect; it should read "01/10/2003" in lieu of "10/10/2003," a marked-up copy is attached.

Application No.: 10/573,130


Docket No.: 13111-00035-US

The correct information can be found on the original Declaration, Power of Attorney and Petition which was electronically filed on May 17, 2006, a copy of which is attached hereto.

Applicants additionally request that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect these corrections.

Applicants believe no fee is due with this request. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 13111-00035-US from which the undersigned is authorized to draw.

Respectfully submitted,

By 

Roberte M. D. Makowski, Ph.D.

Registration No.: 55,421

CONNOLLY BOVE LODGE & HUTZ LLP

1007 North Orange Street

P.O. Box 2207

Wilmington, Delaware 19899

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Attorney for Applicants

603716_1



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/573,130	05/17/2006	1614	1330	13111-00035-US	8	26	3

CONFIRMATION NO. 4511

23416
CONNOLLY BOVE LODGE & HUTZ, LLP
P O BOX 2207
WILMINGTON, DE 19899

FILING RECEIPT



OC000000021771178

Date Mailed: 12/29/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Rainer Sturmer, Rodersheim- Gronau, GERMANY;
Bernhard Hauer, ~~Fubgonheim~~ GERMANY;
Thomas Friedrich, Darmstadt, GERMANY;
Michael Breuer, Limburgerhof, GERMANY;

should be spelled: Fussgonheim

Missing Second Applicant: Maria Kesseler, Mannheim, GERMANY

Power of Attorney: The patent practitioners associated with Customer Number 23416.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP04/10939 09/30/2004

Foreign Applications

should be:

EUROPEAN PATENT OFFICE (EPO) 10345772.0 10/10/2003

Germany 10345772.0 01/oct./2003

If Required, Foreign Filing License Granted: 06/21/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/573,130**

Projected Publication Date: 04/05/2007

Non-Publication Request: No

Early Publication Request: No

Title

Methods for the production of 3-methylamino-1-(thiene-2-yl)-propane-1-ol

Preliminary Class

514

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/573,130	Rainer Sturmer	13111-00035-US

23416
CONNOLLY BOVE LODGE & HUTZ, LLP
P O BOX 2207
WILMINGTON, DE 19899

INTERNATIONAL APPLICATION NO.
PCT/EP04/10939

I.A. FILING DATE	PRIORITY DATE
09/30/2004	10/10/2003

Should Read "01/10/2003"
CONFIRMATION NO. 4511

371 ACCEPTANCE LETTER



OC000000021771179

Date Mailed: 12/29/2006

NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

<u>05/17/2006</u>	<u>11/03/2006</u>
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 03/23/2006
- English Translation of the IA filed on 03/23/2006
- Copy of the International Search Report filed on 03/23/2006
- Preliminary Amendments filed on 03/23/2006
- Information Disclosure Statements filed on 03/23/2006
- Biochemical Sequence Diskette filed on 12/01/2006
- Oath or Declaration filed on 05/17/2006
- Biochemical Sequence Listing filed on 08/24/2006
- Request for Immediate Examination filed on 03/23/2006
- U.S. Basic National Fees filed on 03/23/2006
- Priority Documents filed on 03/23/2006

- Power of Attorney filed on 05/17/2006
- Specification filed on 03/23/2006
- Claims filed on 03/23/2006
- Abstracts filed on 03/23/2006
- Drawings filed on 03/23/2006

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

LAMONT M HUNTER
Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Stürmer et al.

Conf. No.: 4511

Application No.: 10/573130

Group Art Unit: Not yet assigned

Filed: March 23, 2006

Examiner: Not Yet Assigned

For: METHODS FOR THE PRODUCTION OF 3-
METHYLAMINO-1-(THIENE-2-YL)-
PROPANE-1-OL

TRANSMITTAL FOR DECLARATION, POWER OF ATTORNEY AND PETITION

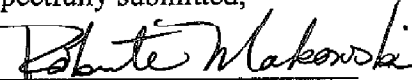
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants transmit herewith the executed Declaration for Patent Application and Power of Attorney in the above-captioned application. Applicants have not received a Notification Of Missing Requirements.

Please charge our Deposit Account No. 03-2775 in the amount of \$130.00 covering the required fees. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 03-2775, under Order No. 13111-00035-US.

Respectfully submitted,

By 

Roberte M. D. Makowski, Ph.D.

Registration No.: 55,421

CONNOLLY BOVE LODGE & HUTZ LLP

1007 North Orange Street

P.O. Box 2207

Wilmington, Delaware 19899

(302) 658-9141

(302) 658-5614 (Fax)

Attorney for Applicants

Declaration, Power of Attorney and Petition

We (I), the undersigned inventor(s), hereby declare(s) that:

My residence, post office address and citizenship are as stated below next to my name,

We (I) believe that we are (I am) the original, first, and joint (sole) inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHODS FOR THE PRODUCTION OF 3-METHYLAMINO-1-(THIENE-2-YL)-PROPANE-1-OL

the specification of which

☐ is attached hereto.

☐ was filed on _____ as

Application Serial No. _____

and amended on _____

☒ was filed as PCT international application

Number PCT/EP2004/010939

on 30 September 2004

and was amended under PCT Article 19

on _____ (if applicable)

We (I) hereby state that we (I) have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We (I) acknowledge the duty to disclose information known to be material to the patentability of this application as defined in Section 1.56 of Title 37 Code of Federal Regulations.

We (I) hereby claim foreign priority benefits under 35 U.S.C. § 119(a) - (d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International Application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International Application having a filing date before that of the application on which priority is claimed. Prior Foreign Application(s)

Application No.	Country	Day/Month/Year	Priority Claimed
10345772.0	Germany	01 October 2003	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

We (I) hereby claim the benefit under Title 35, United States Codes, § 119(e) of any United States provisional application(s) listed below.

_____	_____
(Application Number)	(Filing Date)
_____	_____
(Application Number)	(Filing Date)


We (I) hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International Application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International Application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Serial No.	Filing Date	Status (pending, patented, abandoned)
_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby appoint the registered practitioner(s) associated with Customer No. 23416 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Direct all correspondence to Customer Number 23416.

We (I) declare that all statements made herein of our (my) own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

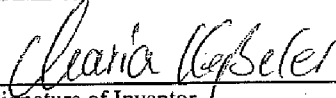
Rainer Stürmer
NAME OF SOLE OR FIRST INVENTOR


Signature of Inventor

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Hauptstr. 153
67127 Rödersheim-Gronau
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Citizen of Germany
Post Office Address: same as residence

Date October 4, 2004


Maria Keßeler
NAME OF SECOND JOINT INVENTOR


Signature of Inventor

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Citizen of Germany
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Date October 4, 2004


Bernhard Hauer
NAME OF THIRD JOINT INVENTOR


Signature of Inventor

Residence:
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67136 Fußgönheim
Germany
Citizen of Germany
Post Office Address: same as residence

Date October 4, 2004

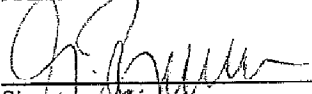
Thomas Friedrich
NAME OF FOURTH JOINT INVENTOR


Signature of Inventor

Residence:
Saalbastr.22-24
64283 Darmstadt
Germany
Citizen of Germany
Post Office Address: same as residence

Date October 4, 2004

Michael Breuer
NAME OF FIFTH JOINT INVENTOR


Signature of Inventor

Residence:
Chenoverstr.8
67117 Limburgerhof
Germany
Citizen of Germany
Post Office Address: same as residence

Date October 4, 2004

Acknowledgement Receipt

The USPTO has received your submission at **16:18:26 Eastern Time on 17-MAY-2006**.

No fees have been paid for this submission. Please remember to pay any required fees on time to prevent abandonment of your application.

eFiled Application Information

EFS ID	1050107
Application Number	10573130
Confirmation Number	4511
Title	Methods for the production of 3-methylamin-1-(thiene-2-yl)-propane-1-ol
First Named Inventor	Rainer Sturmer
Customer Number or Correspondence Address	23416
Filed By	Roberte Marie Densie Makowski/Tina Hall
Attorney Docket Number	13111-00035-US
Filing Date	
Receipt Date	17-MAY-2006
Application Type	U.S. National Stage under 35 USC 371

Application Details

Submitted Files	Page Count	Document Description	File Size	Warnings
1311100035IPER.pdf	16	Documents submitted with 371 Applications	691850 bytes	◆ PASS
1311100035Declaration.pdf	4	Oath or Declaration filed	126853 bytes	◆ PASS

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53 (b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

If you need help:

- Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail EBC@uspto.gov for specific questions about Patent e-Filing.
- Send general questions about USPTO programs to the [USPTO Contact Center \(UCC\)](#).
- If you experience technical difficulties or problems with this application, please report them via e-mail to [Electronic Business Support](#) or call 1 800-786-9199.